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DRAFT

**Item 6
1/9/02**

Decision _____

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Order Instituting Rulemaking into the issues of safety certification for rail transit agencies and other public transit guideways.

R. _____

**ORDER INSTITUTING RULEMAKING
INTO THE ISSUES OF SAFETY CERTIFICATION
FOR RAIL TRANSIT AGENCIES AND OTHER
PUBLIC TRANSIT GUIDEWAYS**

Summary

By this order, the Commission institutes a rulemaking to establish standards for safety certification for rail transit agencies and other public transit guideways.

Commission General Order 164-B (GO 164-B) sets forth certain rules and regulations governing the safety of rail fixed guideway systems in California. GO 164-B currently includes provisions concerning System Safety Program Plans, Internal Safety Audits, Reporting and Investigating Accidents and Unacceptable Hazardous Conditions. A principal focus of GO 164-B is the safety of the systems once they are placed into revenue service.

The Commission staff has prepared a proposed revision to GO 164-B. The focus of the staff proposal is to strengthen the pre-revenue service safety review process on all major capital projects. The proposed GO 164-C would establish Commission review and approval requirements for (a) general Safety

Certification Program Plans, (b) Project-specific Safety Certification Plans prior to construction, and (c) Project-specific Safety Certification Verification Reports prior to revenue service on all major capital projects. The proposed GO 164-C is attached.

The Commission invites interested parties to submit written comments on the staff proposal or to submit alternative recommendations for consideration by the Commission.

Background

The Commission's responsibilities regarding rail transit safety are set forth in the California Public Utilities Code. In addition, there are applicable federal provisions relating to the Commission's oversight of the six major rail transit systems in the state. The key provisions include Public Utilities Code Section 99152 and 49 Code of Federal Regulations Part 659.

Public Utilities Code Section 99152 states:

99152. Any public transit guideway planned, acquired, or constructed, on or after January 1, 1979, is subject to regulations of the Public Utilities Commission relating to safety appliances and procedures.

The commission shall inspect all work done on those guideways and may make further additions or changes necessary for the purpose of safety to employees and the general public.

The commission shall develop an oversight program employing safety planning criteria, guidelines, safety standards, and safety procedures to be met by operators in the design, construction, and operation of those guideways. Existing industry standards shall be used where applicable.

The commission shall enforce the provisions of this section.

(Amended by Stats. 1986, Ch. 483, Sec. 1)."

The key federal provision is 49 CFR Part 659, "Rail Fixed Guideway Systems; State Safety Oversight; Final Rule." Among other elements, this rule

requires each state to designate an agency to oversee the safety of rail transit systems. In California, the Commission is that agency.

Pursuant to 49 CFR Part 659, the Commission oversees the six major rail transit agencies. They are the Bay Area Rapid Transit District (BART), Los Angeles County Metropolitan Transit Authority (LACMTA), Sacramento Regional Transit District (SRTD), San Diego Trolley Incorporated (SDTI), San Francisco Municipal Railway (MUNI), and Santa Clara Valley Transportation Authority (SCVTA).

In addition to these six agencies, the Commission has safety oversight responsibility for other public transit guideways operating in California. The rules established in the proposed GO 164-C will apply to all public transit guideways in the state. As defined in the proposed general order, a public transit guideway includes all rail transit agencies, rail fixed guideways and all other light rail, rapid rail, monorail, inclined plane, funicular, trolley or automated guideway offering transit service to the public, whether or not federal guidelines or definitions apply.

The Federal Transit Administration (FTA) has recently developed "Guidelines for Safety and Security Management Plans" to assist transit agencies in developing management structures and work programs to effectively plan and implement safety and security-related elements of major capital projects. Furthermore, The Joint Task Force on System Safety, established by the FTA and the American Public Transportation Association has also prepared a "Safety Certification Handbook" which describes a process for developing and documenting a formal safety certification program for major capital projects and recommends a process for Safety Certification of new starts. These recommendations are described in FTA Final Report No. DOT-FTA-MA-90-5006-

00-1 "Compliance Guidelines for States with New Starts Projects" dated June 2000. The FTA additionally recommends that the Commission issue a Pre-Revenue Service Program Standard. This would require the Commission to review and approve pre-revenue safety certification programs for any major capital project.

Major Capital Projects are new rail systems and extensions, the acquisition and integration of new vehicles and technologies into existing service, and the rehabilitation or renovation of aging facilities. The proposed GO 164-C will adopt these safety certification requirements for all public transit guideways in California, including those under FTA oversight.

Safety Certification is the process applied to project development to ensure that all practical steps have been taken to optimize the operational safety of the project. The existing GO 164-B identifies the various requirements for System Safety Program Plans and other elements, but not for pre-revenue safety certification. Currently, Safety Certification Program Plans, Safety Certification Plans, and Safety Certification Verification Reports are developed by the rail transit agencies and are submitted to the Commission staff. These documents are reviewed by staff, but are not required by GO 164-B and not required to be approved by the Commission. The type of safety certification documentation varies between agencies.

Discussion

The rules and regulations in GO 164-B need to be updated to address Safety Certification for new major capital projects. The Commission's goal is to provide the California rail transit agencies and other public transit guideways with a standard set of rules, guidelines, and processes to prepare Safety Certification Program Plans, project-specific Safety Certification Plans and

project-specific Safety Certification Verification Reports. The proposed GO 164-C will fulfill these goals and establish review requirements. Appropriate changes to incorporate the requirements for Safety Certification before construction and revenue operation will clarify terms and conditions, comply with FTA guidelines and generally improve implementation of the Commission's rail transit safety oversight program.

The proposed GO 164-C is attached to this rulemaking. The Commission invites interested parties to submit written comments on the proposal or to submit alternative recommendations for consideration by the Commission, as described in the Preliminary Scoping Memo section of this order.

Proposal For A Formal Safety Certification Process

The proposal for a formal Safety Certification process involves the following three steps:

1. Safety Certification Program Plan (SCPP).

All rail transit agencies and public transit guideways must submit an SCPP for approval by Commission Resolution, whether or not any major capital projects are planned. The SCPP shall conform to applicable FTA guidelines, existing industry standards, and the rules and regulations of GO 164-C. This is an agency-wide document, developed by the public transit agency, which ensures that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, implemented, training provided and rules and procedures followed, in compliance with public transit guideway safety requirements.

2. Safety Certification Plan (SC Plan).

A project-specific SC Plan for each major capital project must be approved by Commission Resolution prior to construction. SC Plans shall be submitted by the rail transit agency or public

transit guideway to Commission staff for review during the preliminary design and engineering phase. The SC Plan shall conform to the applicable FTA guidelines, the agency's SCPP, and the rules and regulations of GO 164-C. The project-specific SC Plan shall ensure that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, implemented, training provided and rules and procedures followed, in compliance with public transit guideway safety requirements.

3. Safety Certification Verification Report (SCVR).

The SCVR is used to verify that the elements and conditions described in the SC Plan for each major capital project are carried-out and implemented. The SCVR shall be approved by the Commission, or by a Commissioner designated by the Commission President, prior to revenue service. The SCVR will be the final certificate of compliance verifying that the completed project complies with all safety requirements identified by the agency's project-specific SC Plan. The SCVR shall include a project safety certification, final verification report, hazard analysis report, and a certifiable elements list.

Preliminary Scoping Memo

The rules and procedures implementing many of the reforms contained in Senate Bill (SB) 960 are found in Article 2.5 of Practice and Procedure (Rules), which are posted on the Commission's web site. Pursuant to Rule 4(a), the rules in Article 2.5 shall apply to this proceeding. As per the provisions of SB 960, the present rulemaking is classified as a quasi-legislative proceeding and may require hearings. In the preceding sections, we have listed the issues to be considered in this investigation. This is a preliminary list of issues. The scope of this investigation may be expanded once we take comments from parties and conduct the initial Prehearing Conference (PHC). Comments are due 60 days

after the effective date of this order. They should be filed with the Presiding Officer and copies sent to all parties on the service list.

The Presiding Officer shall convene a PHC, inform respondents and other interested parties when to file PHC statements, develop a service list for this proceeding, and further delineate issues related to scope and schedule for this proceeding. The date of the PHC will be set by the Presiding Officer.

Any person who objects to the categorization of this investigation must file an appeal 10 days after the date of this OIR, pursuant to Rule 6.4(a).

The temporary service list is attached to this order and shall be used for service until a service list for this proceeding is established at the PHC. Persons who want to become a "party" to this proceeding shall appear at the PHC, or subsequent hearings, and fill out the "Notice of Party/Non-Party Status" form (appearance form).

Those persons who do not want to be parties, and only want notice of the hearings, rulings, proposed decisions, and decisions may either fill out an appearance form at hearing, or they may mail a written request to the Process Office requesting that they be added to the service list for information only.

Those persons employed by the State of California who are interested in this proceeding may request that they be added to the "state service" section of the service list either by appearing at the PHC or at the formal hearing and filling out an appearance form, or by mailing a written request for "state service" status to the Process Office. Parties are obligated to serve all documents they may submit or file in this proceeding on all names appearing on the state service list.

The Process Office shall develop an initial service list based on the appearances at the first PHC. This initial service list shall be posted on the Commission's web site, <http://www.cpuc.ca.gov>, as soon as is practicable.

Any party interested in participating in this investigation who is unfamiliar with the Commission's procedures should contact the Commission's Public Advisor Office in Los Angeles (213) 576-7055, or in San Francisco (415) 703-2074 for assistance.

Consistent with Rule 6(e), we expect this proceeding to be concluded within 18 months.

Ex Parte Communications

This proceeding is subject to Rule 7, which specifies standards for engaging in ex parte communications and the reporting of such communications. Pursuant to Rules 7(a)(3) and 7(d), ex parte communications will be allowed in this proceeding without any restrictions or reporting requirements unless and until the Commission modifies this determination of category.

Therefore, **IT IS ORDERED** that:

1. A rulemaking is instituted on the Commission's own motion to examine the issues of safety certification for rail transit agencies and other public transit guideways.
2. The six rail transit agencies, Bay Area Rapid Transit District, Los Angeles County Metropolitan Transit Authority, Sacramento Regional Transit District, San Diego Trolley Incorporated, San Francisco Municipal Railway, Santa Clara Valley Transportation Authority, and other public transit guideways as identified in the attached service list, are made respondents to this proceeding.
3. The Executive Director shall cause this Order Instituting Rulemaking (OIR) to be served on the respondents and on the service list.
4. A Prehearing Conference (PHC) will be scheduled to establish a procedure that will allow the Commission staff and all interested parties an opportunity to participate in the adoption of the revised General Order (GO) 164-C.

5. A schedule should be established for adoption of the revised GO 164-C. The Commission will assign an Administrative Law Judge to preside over these proceedings. Attached to this rulemaking is a copy of the proposed revised GO 164-C.

6. The Presiding Officer shall convene a PHC, inform respondents and other interested parties when to file PHC statements, develop a service list for this proceeding and further delineate issues related to scope and schedule for this proceeding.

7. The temporary service list is attached and shall be used for service of all pleadings until a service list for this proceeding is established. The official service list for this proceeding shall be created by the Process Office and posted on the Commission's web site (www.cpuc.ca.gov) as soon as practicable after the first PHC. Parties may also obtain the service list by contacting the Commission's Process Office at (415) 703-2021.

8. This rulemaking is categorized as quasi-legislative as that term is defined in Rule 5(d) of the Commission's Rules of Practice and Procedure. Any person who objects to the categorization of this rulemaking must file an appeal 10 days after the date of this OIR, pursuant to Rule 6.4(a).

9. Persons interested in having their names added to the service list for this proceeding shall follow the procedures described in this order.

This order is effective today.

Dated _____, at San Francisco, California.

ATTACHMENT

***** SERVICE LIST *****

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(END OF ATTACHMENT)

GENERAL ORDER NO. 164-C

(Supercedes General Order No. 164-B)

**PUBLIC UTILITIES COMMISSION OF THE
STATE OF CALIFORNIA**RULES AND REGULATIONS GOVERNING STATE SAFETY OVERSIGHT OF
PUBLIC TRANSIT GUIDEWAY SYSTEMS**Adopted September 20, 1996. Effective September 20, 1996.****(D. 96-09-081 in R. 96-04-021)****Amended September 3, 1997. Effective October 1, 1997.****Resolution No. ST-27****Amended December 2, 1999. Effective December 2, 1999.****Resolution No. ST-44****Amended [month] [date], [year]. Effective [month] [date], [year].****Resolution No. ST-xx**

TABLE OF CONTENTS

<i>Section</i>	<i>Title</i>	<i>Page No.</i>
1	GENERAL PROVISIONS	2
2	DEFINITIONS	2
3	REQUIREMENTS FOR SYSTEM SAFETY PROGRAM PLANS	5
4	INTERNAL SAFETY AUDIT REQUIREMENTS	6
5	REQUIREMENT FOR REPORTING ACCIDENTS AND UNACCEPTABLE HAZARDOUS CONDITIONS	7
6	REQUIREMENTS FOR INVESTIGATING ACCIDENTS AND UNACCEPTABLE HAZARDOUS CONDITIONS	9
7	SAFETY CERTIFICATION REQUIREMENTS	10

IT IS ORDERED that the following rules and regulations governing the safety oversight of public transit guideways shall hereafter be observed in this State unless otherwise directed by the Commission.

1. GENERAL PROVISIONS

- 1.1 *Authority.* These rules and regulations are authorized by and implement the provisions of 49 U.S.C. 5330, Section 99152 of the Public Utilities Code, and Title 49 of the Code of Federal Regulations, Part 659, Rail Fixed Guideway Systems, State Safety Oversight, Final Rule.
- 1.2 *Applicability.* These rules and regulations are applicable to all public transit guideways in California.
- 1.3 *Additional Rules.* The Commission may make such additional rules and regulations or changes to these rules and regulations as necessary for the purpose of safety.
- 1.4 *Exemptions or Modifications.* Requests for exemptions from or modifications of these rules and regulations shall contain a full statement of the reasons justifying the request and demonstrating that safety is not reduced thereby. Any exemption or modification so granted shall be limited to the particular matter covered by the request. Upon request, each public transit guideway shall serve a copy of any exemption request to interested parties. On an ongoing basis, the public transit guideway shall maintain a list of all parties requesting such information and serve a copy of the request to all parties on that list.

2. DEFINITIONS

- 2.1 *APTA Guidelines* means the American Public Transit Association's "Manual for the Development of Rail Transit

System Safety Program Plans”.

- 2.2 *Certifiable elements list* means a document that is the list of elements that are critical to the safety of the new system operations.
- 2.3 *Existing Industry Standards* means the currently accepted industry and professional engineering standards relating to the design, construction, operation, and maintenance of rail fixed guideway systems as defined by (but not limited to) APTA, ASME, ASEE, ASCE, and ANSI.
- 2.4 *Fatality* means the death of a person at the scene of an accident, or the public transit guideway knows that the person died within 30 days of the incident from injuries related to the accident.
- 2.5 *First aid* means medical attention for minor conditions such as abrasions, cuts, or bruises, and is typically confined to a single treatment.
- 2.6 *FTA* means the Federal Transit Administration.
- 2.7 *Hazard analysis* means any analysis performed to identify hazardous conditions for the purpose of their elimination or control.
- 2.8 *Hazardous condition* means a condition that may endanger human life or property. It includes unacceptable hazardous conditions.
- 2.9 *Major Capital Projects* means new rail systems and extensions, the acquisition and integration of new vehicles and technologies into existing service, and the rehabilitation or renovation of aging facilities.
- 2.10 *Immediate notification* means as soon as possible, but not to exceed 4 hours.
- 2.11 *Rail Fixed Guideway System*, as defined by the FTA, means

any light, rapid rail system, monorail, inclined plane, funicular, trolley, or automated guideway that is:

- (a) Included in the Federal Transit Administration's calculation of fixed guideway route miles or receives funding under FTA's formula program for urbanized areas (49 U.S.C. 5336); and
- (b) Not regulated by the Federal Railroad Administration.

2.12 *Public transit guideway* means all rail fixed guideway systems offering service to the public in California and not regulated by the Federal Railroad Administration, regardless of its inclusion in the FTA's calculation of route miles or of its receipt of federal funding.

2.13 *Safety* means freedom from danger.

2.14 *Safety certification* is the process applied to project development to ensure that all practical steps have been taken to optimize the operational safety of the project.

2.15 *Safety Certification Program Plan* means an agency-wide document, developed by the public transit agency, which ensures that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, implemented, training provided and rules and procedures followed, in compliance with public transit guideway safety requirements.

2.16 *Safety Certification (SC) Plan* means a project-specific document developed by the public transit agency, which ensures that elements critical to safety are planned, designed, constructed, analyzed, tested, inspected, implemented, training provided and rules and procedures followed, in compliance with public transit guideway safety requirements.

- 2.17 *Safety Certification Verification Report (SCVR)* means a project-specific document that will be the final certificate of compliance verifying that the project complies with all safety requirements identified by the agency's project-specific SC Plan. The SCVR shall include a project safety certification, final verification report, hazard analysis report, and a certifiable elements list.
- 2.18 *Safety design criteria* means the organized listing of safety codes, regulations, rules, design procedures, standards, recommended practices, handbooks and manuals prepared to provide guidance to project designers in development of technical specifications that meet minimum safety parameters.
- 2.19 *Security* means freedom from intentional danger.
- 2.19 *Serious injury* means an injury that requires the individual to be transported to a medical facility for medical treatment.
- 2.20 *System safety program plan* means a document adopted by the public transit guideway detailing its safety and security policies, objectives, responsibilities, and procedures.
- 2.21 *Unacceptable hazardous condition* means a hazardous condition determined to be an unacceptable hazardous condition using the APTA Guidelines' Hazard Resolution Matrix (APTA Guidelines, checklist number 7).

3 REQUIREMENTS FOR SYSTEM SAFETY PROGRAM PLANS

- 3.1 Each public transit guideway shall prepare a system safety program plan. The plan shall conform to the APTA Guidelines and these rules and regulations.
- 3.2 The system safety program plan shall be submitted to the

Commission staff for review and approval by the Commission. Subsequent revisions of the system safety program plan shall be submitted to the Commission staff for review and approval.

- 3.3 The system safety program plan shall address the personal security of the public transit guideway's passengers and employees. The Federal Transit Administration's applicable report shall serve as a set of guidelines for preparation of the security portion of each public transit guideway's system safety program plan. Procedural details that the public transit guideway classifies as confidential information to prevent or mitigate breaches of security shall not be revealed in the system safety program plan. Each public transit guideway shall submit the security portion of its system safety program plan to the Commission for approval prior to the date it begins operations.
- 3.4 Each public transit guideway system safety program plan shall describe the controls used to maintain effective communications and liaison with Commission staff for reporting and investigating accidents and unacceptable hazardous conditions, submitting corrective action plans and annual internal safety audit reports and facilitating on-site safety reviews.
- 3.5 Each public transit guideway shall provide for Commission staff participation in inspections, investigations, and reviews of the design, construction, operation, and maintenance of its system to assess whether the actual safety and security procedures and practices of the public transit guideway comply with its system safety program plan.

- 3.6 Each public transit guideway shall undergo an on-site review of the implementation of its system safety program plan by the Commission staff at least once every three years to verify compliance with and evaluate the effectiveness of the plan. The Commission staff may conduct the on-site review with its own personnel or by employing the services of another organization other than the public transit guideway.
- 3.7 Following each on-site review, the Commission will issue a decision based upon the Commission staff findings and recommendations, including an analysis of the efficacy of the system safety program plan and the need, if any, for updating the plan.

4. INTERNAL SAFETY AUDIT REQUIREMENTS

- 4.1 Planned and scheduled internal safety audits shall be performed annually by each public transit guideway to evaluate compliance and measure the effectiveness of its system safety program plan.
- 4.2 All of the organizational elements described in the Internal Safety Audit Process section of the APTA Guidelines shall be included in the scope of the activities to be audited by each public transit guideway. This total scope must be completely covered by the internal safety audits conducted within a 3-year period, and every 3-year period thereafter.
- 4.3 Each public transit guideway shall prepare a schedule of internal safety audits to be performed during each calendar year. This schedule, including any subsequent changes, shall be submitted to the Commission staff before any of the scheduled audits are begun.

- 4.4 Each internal safety audit shall be performed in accordance with written checklists by personnel technically qualified to verify compliance and judge the effectiveness of the system safety program plan activity being audited. The auditors may be organizationally assigned to the unit responsible for management of the activity being audited, but they must be independent from the first line of supervision responsible for performance of the activity being audited.
- 4.5 Each internal safety audit shall be documented in an annual report that covers the audits performed during each calendar year. The annual report shall state the results of each audit in terms of the adequacy and effectiveness of the system safety program plan. The annual report for the internal safety audits performed during the preceding year shall be submitted to the Commission staff prior to the 15th of February each year.

5. REQUIREMENT FOR REPORTING ACCIDENTS AND UNACCEPTABLE HAZARDOUS CONDITIONS

- 5.1 Each public transit guideway shall submit accident and unacceptable hazardous condition reports to the Commission staff. A reportable accident is one which exceeds the thresholds established in the following paragraphs and which is associated with the operation of rail transit vehicles and other on-track equipment at any location in the system; including at grade crossings, station platforms, mainline and yard tracks.
- 5.2 Each public transit guideway shall immediately notify the Commission staff of the following classes of accidents and unacceptable hazardous conditions by telephone, e-mail or

FAX:

- (a) Any event resulting in a fatality or serious injury;
- (b) Any fire or other hazardous event that requires the evacuation of passengers or requires fire suppression activities conducted by a fire department;
- (c) Any accident that results in property damage in excess of \$100,000; and
- (d) Any unacceptable hazardous condition.

5.3 Each public transit guideway shall submit written accident and unacceptable hazardous condition reports on forms prescribed by the Commission staff. Such written reports shall be submitted within 30 days after the last day of the month in which the accident occurred or the unacceptable hazardous condition was discovered. Written reports shall be filed for all unacceptable hazardous conditions and the following classes of accidents:

- (a) Any accident requiring immediate notification by telephone, e-mail or FAX;
- (b) Any derailment or collision between rail transit vehicles, or between rail transit vehicles and other on-track equipment, or between rail transit vehicles and motor vehicles, that meet either of the following two conditions:
 - 1. The rail transit vehicle or other on-track equipment is removed from service or rendered unavailable for service due to damage which must be repaired before it can be returned to service; and
 - 2. The motor vehicle is removed from the scene by a tow truck or other means due to damage, which

preludes it from being safely operated.

- 5.4 Each public transit guideway shall file a monthly accident, unacceptable hazardous condition, and corrective action summary report. This report shall be filed on a form prescribed by the Commission staff within 30 days from the last day of the month covered. The monthly summary report shall be filed whether or not any reportable accident occurred or any unacceptable hazardous condition was identified during the month.

6. REQUIREMENTS FOR INVESTIGATING ACCIDENTS AND UNACCEPTABLE HAZARDOUS CONDITIONS

- 6.1 Each public transit guideway shall investigate all reportable accidents and unacceptable hazardous conditions. The Commission staff may also perform separate, independent investigations at its own discretion.
- 6.2 The accident investigations performed by each public transit guideway shall be conducted in accordance with written procedures. Accident investigation procedures, including any changes, shall be submitted to the Commission staff for review and approval.
- 6.3 When investigating accidents and unacceptable hazardous conditions that require immediate notification per 5.2 above, the public transit guideway shall:
- (a) Notify the Commission staff in advance whenever an investigator, investigation team or panel performs interviews, questions witnesses, or conducts inspections, measurements, examinations or tests as part of the investigation;
 - (b) Provide for the Commission staff's participation to the

- fullest extent possible in accident investigations;
- (c) Document in a written report each item investigated, the investigation findings, the most probable cause, contributing causes, and recommendations for corrective action to prevent a recurrence of the accident or unacceptable hazardous condition;
 - (d) Prepare a corrective action plan and schedule either as a part of the investigation report or in a separate document; and
 - (e) Submit its investigation report and corrective action plan with an accompanying implementation schedule to the Commission staff within 60 days of the occurrence of the accident or identification of the unacceptable hazardous condition. If the investigation takes longer than 60 days to complete, interim status reports shall be submitted every 30 days.
- 6.4 For all other reportable accidents, that do not require immediate notification, the public transit guideway is not required to submit formal accident investigation reports and corrective action plans unless specifically requested to do so by the Commission staff due to a specific safety concern.
- 6.5 The Commission may make such order with respect to the public transit guideway's or Commission staff investigation, as the Commission deems necessary.
- 6.6 Investigation reports and corrective action plans prepared by a public transit guideway and filed with the Commission or the Commission staff shall not be admissible as evidence nor shall they be used in any civil action for damages based on or arising out of matters covered therein unless

specifically authorized by the Commission.

7. SAFETY CERTIFICATION REQUIREMENTS

- 7.1 Safety Certification Program Plan: Each public transit guideway shall prepare a safety certification program plan that addresses both the safety and security of major capital projects. The plan shall conform to applicable FTA guidelines, existing industry standards, and these rules and regulations. Details classified as confidential security information shall not be revealed and may be filed separately with the Commission. The plan shall be submitted to the Commission staff under the signature of the General Manager (GM) or Chief Operating Officer (CEO) no later than 60 days after the effective date of this General Order for review and approval by the Commission. Subsequent revisions of the plan shall be submitted to the Commission staff for review and approval.
- 7.2 Safety Certification (SC) Plan: Each public transit guideway shall certify its major capital projects that are initiated after the effective date of this General Order by utilizing a project-specific safety certification plan (SC Plan) prepared in accordance with a pre-approved safety certification program plan filed with the Commission. Each public transit guideway shall:
- (a) Provide for Commission staff's participation in required safety and security design reviews conducted throughout project development lifecycle and adequately address Commission staff's written comments;
 - (b) Secure the approval of the Commission prior to start of construction which is based on Commission staff recommendations; and

(c) Submit the following:

1. SC Plan to the Commission staff for review during preliminary design phase;
2. All safety hazards and security vulnerability analyses that document all project decisions for safety hazards and security risks conducted according to APTA's hazard resolution process;
3. A list of all safety and security design criteria that will be used in the planning, design, and construction of major capital projects;
4. A scoping document to identify the process used to verify conformance with safety and security requirements during design, construction, testing, and operational readiness;
5. Safety-critical elements and certifiable elements list;
6. Safety certification audits conducted in accordance with written checklists to verify compliance and judge the effectiveness of the safety certification program plan; and
7. Conformance checklists.

7.3 Safety Certification Verification Report: Each public transit guideway shall submit a Safety Certification Verification Report (SCVR) upon the conclusion of all safety certification activities in order to verify compliance of the major capital project with the SC Plan. Approval of the SCVR by the Commission or a designated Commissioner shall be required prior to authorizing revenue service. The SCVR shall include:

7.4 Letter of Intent to Operate;

1. Final Project Verification of Safety; and
2. Remaining Open Items List, if any, with appropriate work- arounds.

Dated _____, at San Francisco, California.

PUBLIC UTILITIES COMMISSION
STATE OF CALIFORNIA

By WESLEY M. FRANKLIN
Executive Director